

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

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THE ESTATE OF GREGORY DAVIS, )  
Melissa Davis, Administrator, and )  
MELISSA DAVIS, individually, )  
Plaintiffs, )

v. )

SERHAT DANIEL GUMRUKCU, )  
Defendant. )

Civil Case No. 5:22-cv-133

**COMPLAINT**  
**With Demand for Trial by Jury**

1. Gregory Davis was a resident of Danville, Vermont.
2. Mr. Davis died in Barre, Vermont on or about January 6, 2018.
3. Melissa Davis is Gregory Davis' widow and a resident of New York.
4. Melissa Davis is the administrator of the Estate of Gregory Davis by virtue of an order of the Vermont Superior Court, Caledonia Probate Division.
5. Serhat Daniel Gumrukcu (Mr. Gumrukcu) is a resident of California.

**Jurisdiction and Venue**

6. Because the parties are citizens of different states and the amount in controversy exceeds \$75,000, 28 U.S.C. § 1332 gives the United States District Court subject matter jurisdiction.
7. The District of Vermont is the proper venue, and has personal jurisdiction over the defendant, because Mr. Gumrukcu's acts caused Mr. Davis' death in Vermont and represented a knowing, intentional and deliberate intervention in Vermont such that it

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is reasonable for Mr. Gumrukcu to be subject to legal proceedings in Vermont.

**COUNT I**  
**WRONGFUL DEATH**  
**14 V. S. A. § 1491, et seq.**  
**Estate of Gregory Davis, Plaintiff**

8. At approximately 9 p.m. on January 6, 2018, Melissa Davis and Gregory Davis were in their bedroom in their home in Danville, Vermont.
9. Mr. and Mrs. Davis heard someone knock on the door.
10. Mr. Davis went to the door and spoke with the man.
11. Mr. Davis came back to the bedroom and told Mrs. Davis the man was a U.S. Marshal.
12. Mrs. Davis saw the man. He had handcuffs and a rifle. He was wearing a jacket and a mask, both of which had the emblem of the United States Marshals' Service.
13. The man told Mr. and Mrs. Davis that he had a warrant for the arrest of Mr. Davis for racketeering. He said the warrant instructed him to take Mr. Davis into custody and to bring him to Virginia.
14. A minor child of Mr. and Mrs. Davis saw the man and the car he was driving. The car had red and blue emergency lights activated on its dash.
15. Mr. Davis packed some clothes and went with the man.
16. The next day, January 7, 2018, the Vermont State Police received a report that a body was lying on the side of a road in Barnet, Vermont, about 15 miles from Mr. and Mrs. Davis' home.
17. The Vermont State Police went to the scene and found Mr. Davis' body.
18. Mr. Davis had been shot multiple times in the head and torso while handcuffed.
19. In the years that followed, federal and state law enforcement agencies conducted an

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exhaustive investigation regarding Mr. Davis' death.

20. Law enforcement officers learned that Mr. Gumrukcu and his brother, Murat Gumrukcu, had been involved in a business transaction with Mr. Davis.
21. The law enforcement officers also learned that shortly before his death Mr. Davis said that the Gumrukcu brothers had defrauded him and he was going to report their fraud to law enforcement agencies.
22. Federal law enforcement officers interviewed the Gumrukcu brothers.
23. Mr. Gumrukcu and his brother denied any involvement in Mr. Davis' death.
24. Shortly thereafter, Murat Gumrukcu left the United States, never to return.
25. After a lengthy investigation, federal law enforcement officers, utilizing data obtained from cell phone towers and surveillance cameras, determined that the person who falsely claimed to be a United States Marshal, who took Mr. Davis from his home, and who shot and killed Mr. Davis, was Jerry Banks.
26. Law enforcement officers were unable to find any connection between Mr. Banks and Mr. Davis.
27. Law enforcement officers determined that Mr. Banks' financial situation had significantly improved shortly after the wrongful death of Mr. Davis.
28. Law enforcement officers determined that Mr. Banks had telephoned Aron Lee Ethridge shortly after the wrongful death of Mr. Davis.
29. Law enforcement officers determined that Mr. Banks had multiple meetings with Mr. Ethridge shortly before the wrongful death of Mr. Davis.
30. Law enforcement officers interviewed Mr. Ethridge.

31. Eventually, Mr. Ethridge admitted to these law enforcement officers that he had hired Mr. Banks to kidnap and kill Mr. Davis.
32. Mr. Ethridge disclosed to the same law enforcement officers that Berk Eratay, a friend and former neighbor, had hired him to find a person to murder Mr. Davis.
33. Mr. Ethridge disclosed that Mr. Eratay had paid him more than \$110,00 in cash and additional amounts in Bitcoin for the murder of Mr. Davis.
34. Mr. Eratay is an employee and/or business associate of Mr. Gumrukcu.
35. Mr. Gumrukcu gave Mr. Eratay stock in a business organization with which Mr. Gumrukcu is associated.
36. In April 2022, the United States of America filed a criminal complaint against Mr. Banks in the District of Vermont, but that complaint was placed under seal.
37. Later the same month, federal officials arrested Mr. Banks.
38. At approximately the same time, federal officers arrested Mr. Ethridge.
39. On May 19, 2022, a grand jury in the District of Vermont issued an indictment asserting that Mr. Gumrukcu and Mr. Eratay, “together with others, did knowingly and intentionally conspire to cause another to travel in interstate commerce, and to use and cause another to use facilities of interstate commerce, namely cellular telephone networks, with the intent that the murder of Gregory Davis be committed ... as consideration for a promise and agreement to pay something of a pecuniary value and the death of Gregory Davis resulted.”
40. The indictment was placed under seal.
41. On May 19, 2022, a clerk of the District of Vermont issued a warrant for the arrest of

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Mr. Gumrukcu.

42. Federal law enforcement officers arrested Mr. Gumrukcu on May 24, 2022.
43. Federal law enforcement officers arrested Mr. Eratay at roughly the same time.
44. The indictment against Mr. Gumrukcu and Mr. Eratay was unsealed in June 2022.
45. Between January 2018 and, at least, May 2022, Mr. Gumrukcu, who was at all times outside of Vermont, wrongfully concealed and made false statements about his central role in the wrongful death of Mr. Davis.
46. Mrs. Davis did not discover, and could not have discovered through the exercise of reasonable diligence, that Mr. Gumrukcu's actions were a proximate cause of the wrongful death of Mr. Davis.
47. The death of Mr. Davis was caused by intentional acts of Mr. Gumrukcu constituting murder.

**COUNT II  
SURVIVAL  
14 V. S. A. § 1453  
Estate of Gregory Davis, Plaintiff**

48. From the time Mr. Banks came to Mr. and Mrs. Davis' home and the time Mr. Banks murdered him, Mr. Davis experienced great emotional distress, pain and suffering.
49. Mr. Gumrukcu's actions were a proximate cause of Mr. Davis' great emotional distress, pain and suffering.

**COUNT III  
LOSS OF CONSORTIUM  
Melissa Davis, Plaintiff**

50. Mrs. Davis repeats paragraphs 1 through 47.
51. As a direct result of Mr. Gumrukcu's wrongful acts, Melissa Davis lost the care,

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comfort, love, support, guidance and consortium of her husband, Gregory Davis, and has experienced, and will continue to experience, great emotional distress.

**COUNT IV**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**Restatement (Second) of Torts § 46**  
**Melissa Davis, Plaintiffs**

- 52. Mrs. Davis repeats paragraphs 1 through 47.
- 53. Mr. Gumrukcu's actions were outrageous conduct not tolerated in any civilized society.
- 54. Mr. Gumrukcu intended to cause, or recklessly disregarded the probability of causing, extreme emotional distress to Mrs. Davis.
- 55. As a direct and proximate result of the actions of Mr. Gumrukcu, Mrs. Davis suffered extreme emotional distress.

WHEREFORE, the Estate of Gregory Davis and Melissa Davis seek judgment in their favor and against Serhat Daniel Gumrukcu together with full, fair, just and adequate compensation, costs, interest, attorneys fees and such other relief as is just and proper.

**THE PLAINTIFFS SEEK THE IMPOSITION OF PUNITIVE DAMAGES.**

**THE PLAINTIFFS DEMAND TRIAL BY JURY.**

Dated: June 20, 2022

THE ESTATE OF GREGORY DAVIS,  
Melissa Davis, Administrator, and  
MELISSA DAVIS, Individually

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